

EXHIBIT A

STATE OF NORTH CAROLINA
DURHAM COUNTY

KENITA UPCHURCH,

Plaintiff

v.

UNITED PROPERTY MANAGEMENT
LLC, and SAVANNAH PLACE
APARTMENTS LLC d/b/a
SAVANNAH PLACE APARTMENTS,

Defendants.

) IN THE GENERAL COURT OF JUSTICE
) SUPERIOR COURT DIVISION
) 20-CVS-2922

) 2021 DEC 21 A 11:00

) DURHAM CO., C.S.C.

BY sgm ORDER

THIS MATTER came on for hearing during the December 13, 2021 civil session of the Durham County Superior court by the Honorable Michael J. O'Foghludha upon Defendants United Property Management LLC and Savannah Place Apartments LLC d/b/a Savannah Place Apartments' ("Defendants") Motion to Dismiss and/or Motion for Judgment on the Pleadings to Rules 12(b)(6) and (c) of the North Carolina Rules of Civil Procedure (the "Motion");

WHEREFORE, after a review of the pleadings (and any attachments thereto), the Court's file, the motions and briefing submitted by the Parties' counsel, and having taken into account the arguments of counsel and a review of the legal authorities presented, the Court is hereby of the opinion that Defendants' Motion should be denied.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that Defendants' Motion is DENIED in its entirety.

IT IS SO ORDERED this 20 day of December, 2021.

Michael J. O'Foghludha
Michael J. O'Foghludha
Superior Court Judge Presiding

CERTIFICATE OF SERVICE

This is to certify that the undersigned has this day served the foregoing Order in the above captioned action on all parties by depositing a copy hereof in a postpaid wrapper in a post office depository under the exclusive care and custody of the United Postal Service, addressed as follows:

HARRIS, SCOTT, CRISSMAN
WALLACE, PATRICK, MATTHEW
900 W. MORGAN ST
RALEIGH, NC 27603

MAGINNIS, EDWARD, HALLETT
GWALTNEY, KARL, STEPHEN
4801 GLENWOOD AVE., STE. 310
RALEIGH, NC 27612

SIVON, AMIE, CAROL
2840 PLAZA PL., STE. 400
RALEIGH, NC 27612

This the 21st day of DEC, 2021.



ASSISTANT DEPUTY CLERK OF SUPERIOR COURT